

Hon. Benjamin H. Settle

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

Jewel Mosley, individually and as Legal  
Guardian for her minor child, T.E.,

Plaintiff,

v.

Hain Celestial Group, Inc.; Nuture, Inc.;  
Danone S.A.; Plum, PBC, d.b.a. Plum  
Organics; Campbell Soup Company; Beech-  
Nut Nutrition Company; Gerber Products  
Company; Nestle S.A.; and Walmart, Inc.

Defendants.

Case No. 3:23-cv-06176-BHS

STIPULATED MOTION AND ORDER TO (1)  
EXTEND PLAINTIFF'S DEADLINE TO FILE  
AN OPPOSITION TO DEFENDANT NESTLÉ'S  
MOTION TO DISMISS; (2) EXTEND  
DEFENDANT NESTLÉ'S DEADLINE TO FILE  
A REPLY IN SUPPORT OF NESTLÉ'S MOTION  
TO DISMISS

**NOTE ON MOTION CALENDAR: April 15,  
2024**

WHEREAS, on March 28, 2024, Defendant Nestlé S.A. filed a Motion to Dismiss Plaintiff's  
Complaint.

WHEREAS the current deadline for Plaintiff's opposition to Defendant Nestlé S.A.'s motion  
to dismiss is April 15, 2024, and the current deadline for Defendant Nestlé S.A. to file and serve its  
reply in support of its motion to dismiss is April 19, 2024.

WHEREAS, a petition to consolidate this case is currently pending before the Judicial Panel  
on Multi-District Litigation and was heard on March 28, 2024. The parties await an order from the  
Panel.

WHEREAS, the parties agree that Plaintiff shall be afforded an extension to May 10, 2024, to

STIPULATED MOTION AND ORDER TO  
EXTEND DEADLINES - 1

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1 file her opposition.

2 WHEREAS, the parties agree that Defendant Nestlé S.A. shall be afforded an extension to  
3 May 31, 2024, to file their reply.

4 WHEREAS, the parties agree that the noting date on Defendants' motion to dismiss shall be  
5 continued from April 19, 2024 to May 31, 2024.

6 **IT IS HEREBY STIPULATED** and agreed by and between Plaintiff and Defendant  
7 Nestlé S.A., by and through their respective counsel of record, subject to approval by the Court, that:

- 8 1. The deadline for Plaintiff to file an opposition to Defendant Nestlé S.A.'s Motion to  
9 Dismiss is extended to May 10, 2024;
- 10 2. The deadline for Defendant Nestlé S.A. to file its reply in support of Defendant  
11 Nestlé S.A.'s Motion to Dismiss is extended to May 31, 2024;
- 12 3. The noting date to Defendant Nestlé S.A.'s Motion to Dismiss is continued from  
13 April 19, 2024 to May 31, 2024;

14 Dated: April 15, 2024

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24 *Attorneys for Plaintiff*

25 Dated: April 15, 2024

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STIPULATED MOTION AND ORDER TO  
EXTEND DEADLINES - 2

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*Attorneys for Defendant Nestlé S.A.*

**ORDER**

Having read and considered the Stipulated Motion, and good cause appearing, the court  
**ORDERS** the following:

4. The deadline for Plaintiff to file an opposition to Defendant Nestlé S.A.'s Motion to Dismiss is extended to May 10, 2024;
5. The deadline for Defendant Nestlé S.A. to file its reply in support of Defendant Nestlé S.A.'s Motion to Dismiss is extended to May 31, 2024;
6. The noting date to Defendant Nestlé S.A.'s Motion to Dismiss is continued from April 19, 2024 to May 31, 2024;

**IT IS SO ORDERED.**

DATED this 16th day of April, 2024.



BENJAMIN H. SETTLE  
United States District Judge

Presented by:

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STIPULATED MOTION AND ORDER TO  
EXTEND DEADLINES - 4

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*Attorneys for Defendant Nestlé S.A.*

**CERTIFICATE OF SERVICE**

I hereby certify that on April 15, 2024, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system which will send a notice of electronic filing to all counsel of record registered in the federal CM/ECF system.

/s/ Pedram Esfandiary

Pedram Esfandiary